

Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
Baltimore County, Maryland

In the Matter of

Civil Citation No. 68944

Vincent Barrett  
P. O. Box 47506  
Baltimore, MD 21207

6500 Dogwood Road

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on November 18, 2009 for a Hearing on a citation for violations under the Baltimore County Zoning Regulations (BCZR) section 1B01.1D, failure to clean the exterior premises of tires and other trash and debris on residential property zoned DR 5.5 known as 6500 Dogwood Road, 21207.

On October 19, 2009, pursuant to Baltimore County Code §3-6-205, Inspector Paul Cohen issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$4,400.00 (four thousand four hundred dollars).

The following persons appeared for the Hearing and testified: Vincent Barrett, Respondent and Paul Cohen, Baltimore County Code Enforcement Officer.

After proper consideration of all the evidence and testimony presented, the Hearing Officer finds:

A. A Correction Notice was issued on September 29, 2009 for removal of untagged/inoperative motor vehicles, removal of open dump/junk yard. This Citation was issued on October 19, 2009.

B. Inspector Paul Cohen testified that he found old tires, junk, trash and debris in the driveway of this residential rental property. Re-inspection on November 13, 2009 found the junk, trash and debris still there. Photographs in the file show four old tires, a child's car seat, and a large black plastic bag that may contain trash or yard waste. This violates prohibitions against the accumulation of junk, trash and debris on residential property.

C. Respondent Barrett testified that the yard was cleaned up and the violation corrected after November 13, 2009 and prior to this Hearing, which was postponed from the original Hearing date of November 10, 2009. Because compliance is the goal of code enforcement, the civil penalty will be rescinded if re-inspection confirms that the violations have been corrected.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$500.00 (five hundred dollars).

IT IS FURTHER ORDERED that the civil penalty will be RESCINDED and reduced to zero dollars if re-inspection confirms that the violations have been corrected.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty as authorized above shall be imposed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 4<sup>th</sup> day of December 2009.

Signed: ORIGINAL SIGNED  
Margaret Z. Ferguson  
Baltimore County Hearing Officer

**NOTICE TO RESPONDENT:** The Respondent is advised that (1) pursuant to §3-6-206(g)(2) of the Baltimore County Code, the Respondent may make written application to the Director of the Department of Permits & Development Management within 10 days to modify or amend this order and (2) pursuant to §3-6-301(a), Baltimore County Code, the Respondent may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$150 and the posting of security to satisfy the penalty assessed.

MZF/jaf